



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Suman Preet Singh Khanuja et al.

Application No.: 10/822,790

Filed: April 13, 2004

For: USE OF BIOACTIVE FRACTION
FROM COW URINE DISTILLATE
(‘GO-MUTRA’) AS A BIO-
ENHANCER OF ANIT-INFECTIVE,
ANTI-CANCER AGENTS AND
NUTRIENTS

) **Office of Petitions**

) Group Art Unit:

) Examiner:

) Confirmation No.: 3252

PETITION PURSUANT TO 37 C.F.R. § 1.17(h)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Incomplete Nonprovisional Application filed under 37 C.F.R. § 1.53(b) mailed July 7, 2004, Applicants provide the following remarks.

The Notice indicates that a filing date has not been accorded to the above-identified application because “the application was deposited without drawings.” Applicants submit that even if this were correct, Applicants Request for Filing Continuation/Divisional Application Under 37 C.F.R. § 1.53(b) states at page 1, that the “entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being a part of disclosure of the accompanying application and is hereby incorporated by reference therein.” A copy of Applicants’ Request is attached hereto for the Office’s consideration. Thus, even if Applicants failed to include a copy of Figure 1 when the application was filed, Applicants’ Request clearly incorporated by reference the disclosure of the prior

application, Application Serial No 10/135,763, filed May 1, 2002, which the Patent Office has indicated includes Figure 1. Thus, at least by way of its incorporation by reference of the entire disclosure of '763 application, Applicants submit that the present application included Figure 1 as part of its disclosure at the time it was filed. For the Office's convenience, Applicants also enclose a copy of Figure 1 and a copy of the date-stamped postcard from the '763 application, indicating that the Patent Office received a copy of Figure 1 with the '763 application.

Applicants' representative made numerous attempts to resolve this issue by telephoning the Customer Service Center at the Initial Patent Examination Division. Unfortunately, these calls were never returned.

In view of Applicants' incorporation by reference of the entire disclosure of the '763 application which included Figure 1, Applicants submit that the present application is entitled to its April 13, 2004, filing date.

Applicants respectfully request reconsideration and withdraw of the Notice of Incomplete Nonprovisional Application, and a refund of the petition fee of \$130.00 submitted herewith in accordance with 37 C.F.R. § 1.17(h).

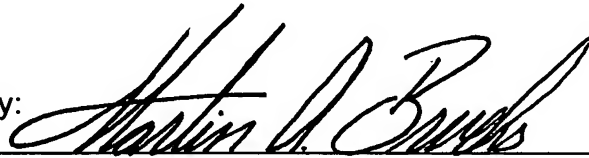
Should the Office have any questions concerning this paper or the subject application in general, Applicants invite the Office to telephone the undersigned at its earliest convenience.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 13, 2004

By:



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Attachments: (1) Applicants' Request For Filing Continuation/Divisional Application Under 37 C.F.R. § 1.53(b)
(2) Figure 1; and
(3) Date-Stamped Postcard For Application Serial No. 10/135,763, filed May 1, 2002